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January 30, 2015

Mark R. Hutchinson, Esq.
611 Frederica Street
Owensboro, Kentucky 42301

RE: Atmos Energy Corporation
Petition for Confidential Protection received December 2, 2014
PSC Reference Case No. 2012-00440

Dear Mr. Hutchinson:

The Public Service Commission has received your Petition for Confidential Treatment filed on December 2, 2014 on behalf of Atmos Energy Corporation ("Atmos"), to protect certain information that is contained in its Interim Hedging Report for the 2014-2015 heating season ("Interim Report"), pursuant to 807 KAR 5:001, Section 13. As Atmos's request is being addressed outside of a case, 807 KAR 5:001, Section 13(3) provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material falls within the exclusions from disclosure requirements established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of the determination by letter." This letter constitutes my determination of your request.

The information that Atmos seeks to have treated as confidential is included in its Interim Report and contains sensitive, proprietary information about Atmos's hedging strategies (including the prices Atmos would likely pay for hedging contracts under various market conditions). Atmos states that disclosure of this information would damage Atmos's competitive position and that this information is recognized as confidential and proprietary in the industry.

Atmos also states that certain information in the Interim Report constitutes a trade secret under the two prong test of KRS [3]65.880¹: (a) the economic value of the information is derived by not being readily ascertainable by other persons who might obtain economic value by its disclosure and (b) the information is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. Atmos maintains that this information is not disclosed to any personnel of Atmos except those who need to know in order to discharge their responsibility.

¹ Atmos' application for confidential protection cites to the two-prong definition of trade secret under KRS 265.880. The correct citation is KRS 365.880(4).

Finally, Atmos states that disclosure of the information it seeks to protect as confidential would disadvantage Atmos by allowing its competitors to know its hedging strategies and the prices that Atmos might pay in the future. Atmos states that the Commission has historically granted Atmos confidential protection for information concerning the actual price being paid by Atmos to individual marketing companies and other suppliers of natural gas.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, the Commission has determined that disclosure of the information requested to be held confidential would permit unfair commercial advantage to Atmos's competitors. Therefore, this information meets the criteria for confidential protection and will be maintained as a non-public part of the Commission's Post Case Referenced Correspondence file for an indefinite period.

The procedure for usage of confidential materials during formal proceedings may be found at 807 KAR 5:001, Section 13(9). If the information becomes publicly available or no longer warrants confidential treatment, Atmos is required by 807 KAR 5:001, Section 13(10), to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen
Executive Director

VG/ph